

2 included in or contemplated or regulated by the provisions hereof,
 3 shall be in accordance with the provisions of the general law of the
 4 state relating to the same subject matter, including definitions and
 5 regulations relating to valuations, benefited property, estimates, as-
 6 sessments, plans, specifications, schedules, resolutions, protests, ob-
 7 jections, remonstrances, maintenance, bids, deposits, contracts, bonds
 8 or the form of improvement bonds issued in payment for any such
 9 public improvement.

1 SEC. 25. In the event of conflict between any provision hereof, and
 2 any provision of any general law of the state pertaining to the same
 3 subject matter, this act shall prevail, and in the event of any conflict
 4 between the provisions hereof and the provisions of chapter 326 of
 5 the 1927 code, the provisions of this act shall prevail.

1 SEC. 26. In the event that any section or sections of this act shall
 2 be declared unconstitutional by the supreme court of this state, such
 3 declaration or decision shall have no effect upon the remaining sec-
 4 tions hereof.

1 SEC. 27. This act shall not affect any right, remedy or cause of
 2 action accrued or now pending, or growing out of any improvement
 3 or assessment made under any prior law.

4 The words "city" or "city council" when used herein shall be con-
 5 strued to refer to a city or council thereof referred to or designated
 6 in section 1 of this act.

1 SEC. 28. This act, being deemed of immediate importance, shall be
 2 in full force and effect from and after its passage and publication in
 3 the Plain Talk, a newspaper published at Des Moines, Iowa, and the
 4 Ottumwa Daily Courier, a newspaper published at Ottumwa, Iowa.

Senate File No. 276. Approved April 4, A. D. 1929.

I hereby certify that the foregoing act was published in the Des Moines Plain Talk
 April 11, 1929, and the Ottumwa Daily Courier April 8, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 195

BRIDGES

AN ACT to authorize and empower cities, including cities under the commission plan, to acquire by purchase, condemnation, bargain and sale, lease, sub-lease, gift or otherwise, and to construct and contract for the construction of bridges within the city limits and five (5) miles outside thereof, within the state of Iowa and any adjoining state, and across any navigable or non-navigable stream forming the boundary between such states, and thereafter to repair, maintain, extend, renew, reconstruct, replace, extend, enlarge, mortgage, lease, use and operate such bridges as toll or free bridges for public use and travel of all kinds, and to fix the rates of toll and charges for use thereof, and grant franchises thereon or thereover, and to exercise such powers through the governing body of the city or any committee thereof or through a bridge commission as provided for in this act; and to exercise such powers independently or in co-operation with or aid of similar action by any other city or county in Iowa or an adjoining state or by such states or the government of the United States; and granting the power to convey such bridges or assign such rights, subject to conditions set forth herein; and providing the method of acquiring existing bridges by purchase or condemnation; and authorizing the issu-

ance of different kinds of bonds for the purposes authorized by this act in the manner and subject to the conditions set forth in this act; and providing for the protection of bond purchases by restricting the power to amend, alter or repeal this act and by restricting the right to build competing bridges; and providing the method and extent of collecting tolls; and providing for the creation of bridge commissions for independent or joint exercise of powers herein conferred, and setting forth the powers, duties and method of proceeding and dissolution of such commissions; and providing the power and method of acquiring property by purchase or condemnation, the removal of obstructions, the payment of damages, the restoration of public works; and providing that the powers herein granted and procedure herein provided for are not exclusive but are supplementary; and declaring an emergency.

Be it enacted by the General Assembly of the State of Iowa:

1 **SECTION 1. Principal grant of power.** Any city in this state, in-
2 cluding cities under the commission plan, is hereby authorized and
3 empowered to acquire by purchase, condemnation, bargain and sale,
4 lease, sub-lease, gift or otherwise, any existing bridge, including
5 approaches and avenues, rights of way or easements of access to
6 approaches, necessary real and personal property incident thereto
7 and franchises, special privileges, leases and contracts in connection
8 with such bridges, and to so acquire any bridge and aforesaid facil-
9 ities; and is also authorized and empowered to construct and con-
10 tract for the construction of, and to acquire by purchase, lease, sub-
11 lease, gift or otherwise, bridges, including all of aforesaid appur-
12 tenances, facilities and property; and is also authorized and em-
13 powered thereafter to repair, maintain, extend, renew, reconstruct,
14 replace or enlarge and to mortgage or lease and to use and operate
15 any such bridges as toll or free bridges, either or both from time
16 to time, for public use and travel of all kinds by railroads, street
17 railways, bus lines, vehicles and pedestrians and other uses, any or
18 all as may be determined by the governing body of the city, and to
19 use same for public utility purposes, and to fix the rates of toll or
20 the charges for the use of same, and to grant non-exclusive fran-
21 chises for use of same for public utility purposes upon such terms
22 and conditions as may be prescribed by ordinance, and to exercise all
23 such powers within the city limits and five (5) miles outside there-
24 of within the state of Iowa, and any adjoining state, but only across
25 any navigable or non-navigable stream forming the boundary be-
26 tween such states, after having obtained any authority which may
27 be necessary from such states and the United States, and to exercise
28 such powers either directly through the governing body of the city
29 or any committee thereof or through a bridge commission created
30 as in this act provided, or part any one and part any other.

1 **SEC. 2. Joint power.** Any power in this act granted to the city
2 may be exercised by the city independently or in cooperation with
3 or aid of similar action by any other city or any county in Iowa, or
4 any city or county in an adjoining state, or the state of Iowa or any
5 adjoining state or states, or the government of the United States
6 where such other political unit has been authorized by law to ex-
7 ercise the necessary powers. Such joint action may be directly by
8 the governing body of the city or through the medium of a joint
9 bridge commission subject to the same conditions provided in this
10 act for independent action.

1 **SEC. 3. Utility franchises for use of bridge.** The cities specified
2 in this act through the governing bodies thereof are authorized and
3 empowered to grant franchises for the non-exclusive use of the
4 bridges acquired under this act to public utilities upon such terms,
5 conditions and for such consideration as such cities may impose
6 whether incident to or part of the purchase of an existing bridge
7 and rights of utilities in connection therewith, or otherwise, and
8 thereafter to extend the duration or to amend the terms and con-
9 ditions thereof. Any such grant shall be made by the city council
10 by ordinance and no vote of the electors of the city shall be re-
11 quired. In no case shall such a grant be made by any bridge com-
12 mission.

1 **SEC. 4. Conveyance of bridge.** In the event that the state of
2 Iowa, an adjoining state, the government of the United States,
3 either, any or all of them should agree to take over any bridge ac-
4 quired by the city under this act and thereafter maintain and operate
5 same as a free public bridge at its or their expense, then such city
6 is authorized to convey such bridge on such conditions to such party
7 or parties.

1 **SEC. 5. Power to assign rights.** Any such city may grant the ex-
2 clusive right to purchase an existing bridge or to construct a new
3 bridge and to maintain any such bridge within a distance not exceed-
4 ing one (1) mile on each side of the bridge to be so purchased or
5 constructed, for the period necessary to reimburse cost plus not ex-
6 ceeding eight per centum (8%) thereof for financing charges, to-
7 gether with interest upon said cost and charges, but in no event to
8 exceed ten (10) years, subject to the conditions that at the termina-
9 tion of which period, such bridge shall become the sole property of
10 the public and thereafter be maintained and operated by the city
11 as a toll or free bridge as such city may determine from time to
12 time in harmony with the other provisions of this act and the laws
13 of the United States. Such grant shall be made in the manner and
14 subject to the same conditions as may be provided by law for the
15 granting of franchises. Any such grant or assignment shall by
16 operation of law be subject to the following conditions; the number
17 of officers and employees and the salaries, wages or compensation
18 thereof shall be reasonable; no person shall be permitted free use
19 of the bridge or use at discriminatory tolls; tolls shall be both ade-
20 quate to hasten payment for the bridge and reasonable to the pub-
21 lic; financing costs shall be reasonable and the city may impose re-
22 quirements and safeguards as to the conservation of funds and in-
23 surance of property; complete statements of operations and finances
24 shall be filed with the city clerk on bond interest dates upon com-
25 pletion of the bridge and upon delivery of same to the city; and
26 the city shall have power to require or itself perform audits and
27 examine the books and call for any reports at any time. The city
28 may enforce these obligations in any court of competent jurisdiction.
29 In any such assignment, same shall by operation of law be subject
30 to the conditions that the plans and specifications, the location, size,
31 type and method of construction, the boundaries and approaches
32 and the estimates of cost of construction and acquisition shall be
33 first submitted to the governing body of the city and receive its ap-

34 proval before any construction shall be commenced or any contract
35 for construction or for financing construction shall be entered into.

1 **SEC. 6. Existing bridge—purchase, lease or sub-lease.** If any
2 such city shall desire to purchase, lease, or sub-lease any existing
3 bridge, and shall have received any such authority as may be neces-
4 sary from the government of the United States, the governing body
5 thereof may determine the fair value thereof, including all interests
6 of every nature therein, and may by written resolution tentatively
7 offer the owners thereof jointly the price so determined, and if all
8 such owners, within ninety (90) days thereafter, shall file with the
9 city clerk of such city a duly authorized and properly executed writ-
10 ten tentative acceptance of such offer, binding themselves to accept
11 same and assign such lease or sub-lease or convey good and complete
12 title by warranty deed when and if the electors of said city shall
13 authorize such purchase and the necessary funds shall be provided
14 therefor, then upon the filing of such acceptance, the governing body
15 of the city may submit to the electors thereof, at a special election
16 called for that purpose or at any general or city election, within one
17 hundred twenty (120) days after the filing of such acceptance, the
18 question whether such purchase shall be made at the price stated
19 on the ballot and the governing body of the city be authorized to
20 issue bonds of the kind or kinds stated in the proposition and in
21 any such amount as may be required to provide the necessary funds,
22 and the proposition so submitted shall be carried if the majority of
23 the electors voting on such proposition shall vote in favor thereof,
24 and the tentative acceptance of the owners of such bridge shall then
25 become final and binding upon them and may be enforced in any
26 court of competent jurisdiction. Title to and possession of the bridge
27 shall pass upon payment of the consideration therefor. Such pur-
28 chase may also be made subject to existing mortgages and the as-
29 sumption of outstanding bonds. If repairing, reconditioning and re-
30 construction shall be necessary to place any bridge so purchased or
31 to be purchased in safe, efficient or convenient condition, the gov-
32 erning body of the city may cause the estimated cost thereof to be
33 included as a part of the cost of such bridge in submitting the
34 proposition of purchase to the electors, or without submitting such
35 additional cost shall, when the purchase has been authorized by the
36 electors, be empowered to issue additional bonds to provide funds
37 for that purpose in an amount not to exceed fifteen per centum
38 (15%) of the purchase price of the bridge. If within ninety (90)
39 days after this act shall have become effective, the governing body
40 of any such city shall not have made any offer to purchase an exist-
41 ing bridge, or shall have made an offer which shall have been re-
42 jected by the owners of such bridge, then the owners thereof shall
43 be authorized to submit to the city an offer for the sale, lease or
44 sub-lease thereof, and such offer shall within ninety (90) days after
45 its filing with the city clerk and approval by the corporation counsel
46 or city attorney, be submitted by the governing body of the city to
47 the electors of the city at a general or city election, held within
48 that period, or at a special election called for that purpose, provided
49 that the owners of the bridge shall agree to pay all of the costs of
50 such submission to the electors and shall adequately secure such

51 payment at the time of the filing the offer with the city clerk. The
52 form of such offer and execution thereof shall be subject to the ap-
53 proval of the corporation counsel or city attorney of the city who
54 shall also prepare the proposition to be submitted to the electors in
55 proper legal form. The proposition submitted to the electors shall
56 include all necessary provisions for financing such purchase, lease
57 or sub-lease, and the governing body of the city may itself determine
58 the method of such financing and the kind of bonds to be issued in
59 connection therewith and provide for same in the proposition to be
60 submitted, or the governing body of the city may submit to the
61 electors the question as to which kind of bonds shall be issued for
62 that purpose. Such offer of the owners of such bridge shall be
63 binding upon them, their successors and assigns and all parties in in-
64 terest unless and until same has been rejected by the electors at the
65 election herein provided for. Any question submitted at such elec-
66 tion shall be carried if the majority of the electors voting on such
67 question shall vote in favor thereof. Title to the bridge and the
68 right to the possession thereof shall vest in the city upon proper
69 legal tender of payment in accordance with the offer so submitted
70 and authority granted by the electors. The acceptance of such offer
71 by the electors shall carry with it the authority hereinbefore pro-
72 vided in this section for the provision of funds for repairs, recon-
73 ditioning or reconstruction. At any time during the period of thirty
74 (30) days after the form of any such offer shall have been approved
75 by the corporation counsel or city attorney of the city, the govern-
76 ing body of such city shall have the right to make a counter offer to
77 the owners of such bridge, and if within that period such offer shall
78 be accepted as hereinafter provided in this section then the offer
79 made by the owners of the bridge and proceedings pursuant thereto
80 herein provided for, shall be abandoned; but if such counter offer
81 shall not be accepted, then the governing body of the city shall pro-
82 ceed with the submission of the offer of the owners of the bridge.
83 During the period of ninety (90) days after the filing of an offer by
84 the owners of the bridge and the approval of the form thereof, the
85 governing body of the city is authorized to hold such public hearings
86 as it may deem advisable, and is empowered to require the disclosure
87 of complete information by the owners of the bridge, and to require
88 the attendance of witnesses and take testimony under oath, and to
89 employ experts and to investigate all matters which may assist the
90 governing body or the electors in determining the questions pre-
91 sented by or growing out of the offer so made. Upon approval by
92 the corporation counsel or city attorney of the form of offer made
93 by the owners of the bridge, such offer shall be published by the
94 city in an official newspaper published in said city, upon three con-
95 secutive days. After the corporation counsel or city attorney and
96 the governing body of the city shall have approved the final form in
97 which the offer and proposition is to be submitted to the electors,
98 the city shall cause such proposition to be published on three con-
99 secutive days in an official newspaper published in said city to be
100 completed not less than ten (10) days before the date of the election.
101 At the same election at which an offer to sell an existing bridge
102 made by the owners thereof shall be submitted, the governing body
103 of the city is also authorized to submit at the expense of the owners

104 of the bridge an alternative proposition to authorize the construction
105 of a new bridge at an estimated cost to be stated in the proposition
106 and the financing thereof as elsewhere provided for in this act for
107 new bridges. The governing body of the city may also submit inde-
108 pendent propositions for the construction of one or more new
109 bridges as well as the purchase of an existing bridge at the same
110 election and at the expense of the owners of the existing bridge.
111 The governing body of the city may also, at the same election and
112 at the cost of the owners of the bridge offered for sale, submit the
113 proposition so that the construction of a new bridge shall be au-
114 thorized only in the event the purchase of the existing bridge shall
115 not be authorized by the electors or the delivery of title and posses-
116 sion shall be unreasonably delayed for any cause. The offer by the
117 owners of the bridge as herein provided for may also be made in
118 any city authorized by the act independently or jointly to such city
119 and any other legally empowered political sub-division in this or an
120 adjoining state, but in such event the time periods provided for in
121 this section to govern the procedure for submission to the electors
122 shall not so run, nor shall the obligation to submit the offer to the
123 electors accrue unless and until the political sub-divisions shall have
124 entered into joint contract governing the conditions of purchase and
125 subsequent control and operation in the event the offer shall be
126 legally accepted in the manner provided by the law applicable in
127 each such political sub-divisions. The acceptance by the electors of
128 any offer of the owners of the bridge shall by operation of law au-
129 thorize the governing body of the city in its discretion to subse-
130 quently enter into contract with another properly authorized
131 political subdivision in this or an adjoining state to share the cost
132 and the title and control of the bridge so acquired. The owners of
133 a bridge for which an offer is made or by whom an offer is made
134 shall be required to disclose full information as to title and all in-
135 terest therein, and in the event of the purchase of any such bridge
136 shall be required to deliver good title by warranty deed.

1 **SEC. 7. Existing bridge—condemnation.** If any such city shall
2 desire to acquire any existing bridge or lease thereof or all interest
3 therein by the exercise of the power of eminent domain, and shall
4 have received any such authority as may be necessary from the gov-
5 ernment of the United States, it may exercise such power in the
6 following manner, or in such manner as congress may require. The
7 governing body of the city shall in a proposed resolution declare such
8 desire and purpose and request the appointment of commissioners
9 of condemnation as herein provided and shall fix the time for con-
10 sideration of the proposed resolution, at which time any person
11 interested may appear and be heard or may file written objections
12 to the passage of the resolution. The governing body of the city
13 shall cause notice of the time when said resolution will be considered
14 by it for passage to be given by two (2) publications in some news-
15 paper published in the city, the last of which shall be not less than
16 two (2) weeks nor more than four (4) weeks prior to the day fixed
17 for its consideration. Upon the passage of such resolution, a cer-
18 tified copy thereof shall be filed with the chief justice of the supreme
19 court of the state and said chief justice shall, within ten (10) days

thereafter, fix a time for action upon said resolution and give notice to the city and the parties in possession of said bridge, by registered mail, specifying the time and place of hearing fixed by the said chief justice. When the time for hearing shall have arrived the chief justice shall proceed and appoint three (3) competent and disinterested appraisers, at least two (2) of whom must be residents of the state, said appraisers to act as a commission of condemnation, and shall enter an order requiring said commissioners to attend as such commission of condemnation, at the county seat of the county in which said city is located, within ten (10) days after their appointment. Said commissioners of condemnation shall qualify by filing with the clerk of the district court in and for the county in which they are to act, a written oath that they will to the best of their ability, perform faithfully and impartially all the duties required of them by this act. Said commission, when it meets to organize pursuant to the order of the said chief justice or at any time during the proceedings, which may be adjourned from time to time for any purpose, may fix the time for the appearance of any person or persons that any party to the proceedings desires to have joined in the proceedings and whom the commission deems necessary. The time for appearance shall be sufficiently remote to serve notice upon such parties, but if the time for appearance occurs after the proceedings are begun such proceedings may be reviewed by the commission to give all parties a full opportunity to be heard. Persons not voluntarily appearing, but having any right, title or interest in or to the property which is the subject of condemnation, or any part thereof, who are to be made parties to the proceedings shall be served with notice thereof and of the time and place of meeting of said commission in the manner and for the same length of time as for the service of original notice, either by personal service or by service by publication, the time so set, being the time at which the parties so served are required to appear, and actual personal service of the notice within or without the state shall supersede the necessity for publication. The commission of condemnation appointed hereunder shall have power to summon and swear witnesses, take evidence, order the taking of depositions, require the production of books and papers and may appoint a shorthand reporter. The commission of condemnation shall select some suitable person to act as clerk and the records kept by such clerk shall constitute the official records of the commission. In the event of a vacancy on the commission of condemnation such vacancy shall be filled in the manner in which the original appointments were made and when necessary, by reason of such vacancy, the commission may review any evidence in its record. All acts, including final report shall be by a majority of such commission. Such commission of condemnation authorized hereby shall determine the value of such bridge, the rights thereunder sought to be appropriated, and make its report in writing, presenting its findings, within one hundred twenty (120) days after its organization, and which report shall be filed with the clerk of the district court of the county in which such city is located. Within ninety (90) days after the filing of the report by said commission if the said city elects to proceed further, the governing body of the city shall introduce an ordinance providing for the submission

73 to the electors of the city the question whether such award shall
74 be confirmed and the property be taken and bonds of the kind or
75 kinds determined by the governing body of the city and stated upon
76 the ballot shall be issued in the amount of said award, such propo-
77 sition to be submitted within ninety (90) days after said ordinance
78 becomes effective at a special election called for that purpose or at
79 any general or city election, and shall be carried if a majority of
80 the electors voting thereon shall vote in favor thereof. If such
81 proposition is carried, title to the property to be appropriated shall
82 at once vest in said city, and the right to possession shall vest in
83 said city as soon as money in the amount of said award is on deposit
84 with the city treasurer and warrants for the disbursement thereof
85 are available and the interested parties have been notified to that
86 effect provided there exists no actual or legal obstacle to immediate
87 payment. In the event of an appeal, the sum representing the award
88 or awards involved in such appeal or appeals, shall not be paid but
89 shall be invested by the city treasurer in bonds of the United States
90 government or in securities designated by the owner of the property
91 taken, at their own risk, and which shall be held in trust until the
92 final disposition of the appeal, the interest on such bonds to be in
93 lieu of interest upon the award. The governing body of the city is
94 authorized, without a further vote of the electors to issue additional
95 bonds in the amount necessary to pay interest on the award and all
96 costs of the proceedings and any increased interest and costs upon
97 appeal. If the proposition so submitted at the election has been car-
98 ried, any or all of the persons whose property or interest has been
99 taken may appeal from the finding of value and award within twenty
100 (20) days after the canvass of the election to the district court of the
101 county in which such city is located, by the filing of a petition for
102 appeal with the clerk of said court and by the filing of a bond with
103 said clerk to be approved by him, conditioned for the payment of all
104 costs which may be incurred on any such appeal. The clerk of the
105 district court shall immediately docket said cause and the parties
106 shall proceed in all respects in the trial of said cause in the manner
107 as though said action had been originally instituted in said district
108 court. The party appealing, shall, within such time as the district
109 court shall order, file with the clerk of said court a complete trans-
110 script of all of the proceedings had before the commission of con-
111 demnation and either party may use, in the trial of said cause, any
112 portion or all of said transcript. The costs of the proceedings before
113 the commission of condemnation, including compensation or fees of
114 the commissioners shall be paid by the city. In the event of an ap-
115 peal from the award on condemnation the costs shall be taxed and
116 paid as the court may order. The district court of the county in
117 which the proceedings are had shall have jurisdiction upon appli-
118 cation by the commissioners to fix the amount of their compensation.
119 Upon such appeal the court may increase or decrease the amount of
120 the award. No such appeal shall delay the passage of the title or
121 right of the city to possession of the property condemned. In the
122 event the amount of such award is increased upon appeal, the
123 amount of such increase shall be paid with interest thereon at the
124 rate of six per centum (6%) per annum from the date the city took
125 possession of the property until paid. The governing body of the

126 city is authorized without a further vote of the electors to issue such
127 additional bonds as may be necessary to pay interest on the awards,
128 costs on appeal, and any amount by which the award may be in-
129 creased upon appeal.

1 **SEC. 8. Preliminary expense—tax—bonds.** Cities may levy a tax
2 of not to exceed one mill on the dollar on the taxable valuation of
3 such city, to be levied, collected and appropriated solely to finance
4 preliminary work, including investigation, soundings, employment
5 of engineers and architects, securing of estimates and any other
6 useful work, or appropriate expense in connection with the proposed
7 acquisition, or construction or purchase of any bridge or bridges
8 and the preliminary financing thereof, and notwithstanding any
9 limitation now or hereafter imposed by law upon the limit of in-
10 debtedness, except constitutional limitation, may anticipate such
11 tax and issue bonds with interest coupons maturing in not less than
12 five (5) years, and the provisions of chapter three hundred twenty
13 (320) of the code, 1927, shall be operative as to such bonds and
14 coupons, insofar as they may be applicable and except as set forth
15 in this section. The amount of such bonds may be included as a
16 part of the cost of the bridge and may be repaid out of the proceeds
17 of any bonds issued for permanent financing.

1 **SEC. 9. Power to issue bonds.** To finance any of the purposes
2 or powers provided for in this act, the city council or governing
3 body of any such city shall in the first instance determine whether
4 any purchase, condemnation or construction authorized by this act
5 shall be financed by bonds which are general obligations of the city
6 and which may also be supported by a lien or mortgage on the bridge
7 itself or upon the tolls to be derived therefrom, or both, or by reve-
8 nue bonds as provided for in this act and which are charges solely
9 against the revenue to be derived from such bridge through the col-
10 lection of tolls, or part one kind of bonds and part the other, but
11 shall not have authority to purchase, condemn nor construct any
12 bridge, nor to issue any bonds, except preliminary bonds specially
13 authorized by this act, until first authorized by the majority vote
14 of the electors voting on such proposition, which proposition shall
15 indicate the method of acquiring the bridge and the kind or kinds
16 of bonds, at a special election called for that purpose or at any
17 general or city election. This grant of power to issue bonds is in
18 addition to any other which may now have been or hereafter may be
19 conferred upon such city, and shall be free from the restrictions
20 now imposed on cities upon the issuance of bonds and incurring of
21 indebtedness, and subject only to the provisions of the constitution
22 of Iowa. At such election the proposition shall be separate as to
23 each bridge to be acquired or constructed and the amount of bonds
24 may be either a specific amount equal to the estimated total cost of
25 every nature plus not to exceed twenty-five per cent (25%), or may
26 be general and authorize the issuance of bonds in such amount as
27 may be found necessary from time to time to complete the acqui-
28 sition, construction and equipment of the bridge and all costs incident
29 thereto, or may be part one and part the other. For all purposes of
30 financing, the total cost of any improvement authorized by this act
31 may include every item of expense in connection with the project,

32 and among other items shall also include the cost of acquiring every
33 interest of every nature and of every person in any existing bridge,
34 the cost of constructing the superstructure, roadway and sub-
35 structure of any bridge, the approaches, and avenues or rights of
36 way of access thereto and necessary real estate in connection there-
37 with, toll houses and equipment thereof and of the bridge, fran-
38 chises, easements, rights or damages incident to or consequent upon
39 the complete project, expenses preliminary to construction, including
40 investigation and expenses incident thereto, and prior to and during
41 construction the proper traffic estimates, interest upon bonds and
42 all such other expenses as after the beginning of operation would
43 be properly chargeable as cost of operation, maintenance and repairs.

1 **SEC. 10. Revenue bonds.** Cities, including cities under the com-
2 mission plan are hereby authorized to provide funds for the pur-
3 poses of this act by the issuance of revenue bonds of such cities, the
4 principal and interest of which bonds shall be payable solely from the
5 special funds herein provided for such payment and as to which, as
6 shall be recited therein, the city shall incur no indebtedness of any
7 kind or nature and to support which the city shall not pledge its
8 credit nor its taxing power nor any part thereof. Such revenue
9 bonds shall bear interest at not more than six per centum (6%)
10 per annum, payable semi-annually, and shall mature in not more
11 than twenty (20) years from their date or dates and may be made
12 redeemable at the option of the city issuing the same at not more
13 than the par value thereof plus a premium of five per centum (5%)
14 under such terms and conditions as the governing body of the city
15 may fix prior to the issuance of such bonds. The governing body
16 of the city shall provide the form of such bonds, including coupons
17 to be attached thereto to evidence interest payments, which bonds
18 shall be signed by the mayor and countersigned and registered by
19 the city treasurer, under the city's seal, and which coupons shall
20 bear the facsimile signatures of said mayor and the city clerk, and
21 shall fix the denomination or denominations of such bonds and the
22 place or places of payment of principal and interest thereof, which
23 may be at the office of the city treasurer and/or any bank or trust
24 company in the state of Iowa, or in the city of New York, state of
25 New York. The governing body of the city may provide for the
26 registration of such bonds in the name of the owner as to the prin-
27 cipal alone or as to both principal and interest. Such bonds may be
28 sold in such manner as the governing body of the city may determine
29 to be for the best interests of the city, taking into consideration the
30 financial responsibility of the purchaser and the terms and conditions
31 of the purchase and the availability of the proceeds of the bonds
32 when required for the payment of the cost, such sale to be at not
33 less than ninety-two cents (92c) on the dollar and accrued interest.
34 The proceeds of such bonds shall be deposited in the first instance,
35 with the city treasurer and thereafter with such depositories as the
36 bridge commission shall direct and the governing body of the city
37 shall approve, and shall be secured in such manner and to such ex-
38 tent as the governing body of the city and the bridge commission
39 shall require, and shall be used solely for the payment of the cost
40 of the bridge or bridges and costs incident thereto as provided for

41 in this act, and be drawn upon over the signatures of the chairman
42 or vice chairman of the bridge commission and the secretary and
43 treasurer thereof, and under such further restrictions, if any, as the
44 governing body of the city may provide. If the face amount of such
45 bonds, less any discount on the sale thereof, shall exceed such cost,
46 the surplus shall be paid into the fund hereinafter provided for pay-
47 ment of the principal and interest of such bonds. The governing
48 body of the city shall have the right to purchase for investment of
49 other funds, and the bridge commission and the governing body of
50 the city shall have the right to purchase for retirement and cancel-
51 lation any of such bonds that may be outstanding at the market
52 price, but at not exceeding one hundred and five and accrued interest
53 nor exceeding the price, if any, at which the same shall in the same
54 year be redeemable, but all bonds redeemed or purchased out of
55 funds provided by the sale of bridge bonds provided for in this act
56 shall forthwith be cancelled and shall not again be issued. Prior
57 to the preparation of definitive bonds the governing body of the
58 city may, under like restrictions, issue temporary bonds with or
59 without coupons, exchangeable for definitive bonds upon the issu-
60 ance of the latter. The governing body of the city may enter into
61 an agreement with any competent trust company as trustee for the
62 holders of such bonds, setting forth the duties of the city and the
63 bridge commission in respect to the construction, maintenance,
64 operation and insurance of any such bridge, the conservation and
65 application of all funds, the insurance of moneys on hand or on de-
66 posit and the rights and remedies of said trustee and the holders of
67 such bonds, and restricting the individual right of action of bond-
68 holders as is customary in trust agreements respecting bonds of
69 corporations. Said trust agreement may contain such provisions
70 for protecting and enforcing the rights and remedies of the trustee
71 and the bondholders as may be reasonable and proper, and also a
72 provision for approval by the original bond purchasers of the ap-
73 pointment of consulting engineers and of the security given by the
74 bridge contractors and by any bank or trust company in which the
75 proceeds of bonds or bridge tolls or other monies of the bridge
76 commission shall be deposited, and may provide that no contract for
77 construction shall be made without the approval of the consulting
78 engineers. No such bonds shall be issued unless and until the is-
79 suance of same shall have been submitted by the governing body
80 of the city to the electors thereof and authorized by the vote of the
81 majority voting on such proposition at a special election called for
82 that purpose or at any general or city election. At such election the
83 proposition shall be separate as to the bonds for each bridge to be
84 acquired or constructed and the amount of bonds may be either a
85 specific amount equal to the estimated total cost of every nature
86 plus not to exceed twenty-five per cent, (25%), or may be general
87 and authorize the issuance of bonds in such amount as may
88 be found necessary from time to time to complete the acquisition,
89 construction and equipment of the bridge and all costs incident
90 thereto, or may be part one and part the other. The bonds authorized
91 by this section may, at the option of the governing body of the
92 city, be supported by mortgage and deed of trust.

1 **SEC. 11. Protection of bondholders.** Neither the state of Iowa,
2 nor any political subdivision thereof shall limit or restrict the rights
3 and powers granted in this act to the detriment of owners of out-
4 standing bonds authorized hereby, nor shall such state or political
5 subdivision authorize the construction or itself construct any com-
6 peting bridge within a distance of less than one mile on either side of
7 any bridge acquired under this act unless and until all of such bonds,
8 together with the interest thereon have been fully paid and cancelled,
9 unless other adequate provision shall have been made for the pro-
10 tection and guaranty thereof.

1 **SEC. 12. Tolls.** The rates of tolls to be charged for the use of any
2 bridge acquired or constructed under the provisions of this act shall
3 be fixed and adjusted as may be required by any law of the United
4 States now in force or hereafter to be enacted, and shall be so fixed
5 and adjusted as to provide a fund sufficient to pay the interest and
6 principal of any bonds issued under this act, and to provide an addi-
7 tional fund to pay the cost of maintaining, repairing and operating
8 such bridge, and may also provide a reserve fund reasonably suffi-
9 cient to provide for the cost of the continued operation, supervision,
10 maintenance and repair of said bridge or bridges for a period not to
11 exceed twenty-five (25) years after the removal of toll charges.
12 After the provisions of said funds have been completed, such bridge
13 or bridges shall thereafter be maintained and operated free of toll
14 unless or until the charging of reasonable tolls may be continued or
15 resumed by the governing body of the city or its commission in order
16 to finance reconstruction, extension, enlargement, replacement or
17 renewal of that particular bridge or in aid of the acquisition, con-
18 struction, reconstruction, extension, enlargement, replacement or re-
19 newal of any other bridge owned in whole or in part by said city.
20 The owners of outstanding bonds issued to finance the bridge, or the
21 authorized trustee therefor, shall have the right to compel the fixing
22 of adequate tolls by application to any court of competent jurisdic-
23 tion. In case the city is at the same time providing for the payment
24 of more than one bridge through the collection of tolls, the tolls upon
25 such bridges may be maintained and adjusted so that each bridge
26 shall assist the financing of the other.

1 **SEC. 13. Bridge commission.** When it has been determined by
2 the city council or the governing body of any such city, by resolution
3 or ordinance in the exercise of its discretion, that in the exercise of
4 the powers conferred by this act, it is expedient to create a bridge
5 commission, the mayor of such city, with the approval of the govern-
6 ing body of the city, shall appoint four persons, who with the mayor,
7 ex-officio, shall constitute a bridge commission which shall be a
8 police body corporate and politic under the name of (insert name
9 of city) bridge commission and shall have power to contract, to sue
10 and be sued and to adopt a seal and alter same at pleasure, but
11 shall not have power to pledge the credit or taxing power of the city.
12 No officer or employee of said city, except the mayor thereof
13 whether holding a paid or unpaid office shall be eligible to hold an
14 appointment on said commission. Such appointees shall be originally
15 appointed for terms of four (4) years. Upon the expiration of such
16 terms, appointments shall be made in like manner for terms of four

17 (4) years. Not more than two of such appointees shall be members
18 of the same political party. Vacancies shall be filled for any un-
19 expired term in the same manner as the original appointment. Said
20 commission shall elect a chairman and a vice chairman from its
21 members and a secretary and treasurer who need not be a member
22 of such commission. The members of the commission shall receive
23 no compensation, and shall give such bond as may be required from
24 time to time by the governing body of the city. The commission shall
25 fix the compensation of the secretary and treasurer in its discretion.
26 The commission shall have power to establish by-laws, rules and
27 regulations for its own government and to make and enter into all
28 contracts or agreements necessary or incidental to the performance
29 of its duties and the execution of its powers under this act. The
30 commission may employ engineering, architectural and construction
31 experts and inspectors and attorneys, and such other employees as
32 may be necessary in its opinion, and fix their compensation, all of
33 whom shall do such work as the commission shall direct. All salaries
34 and compensation shall be obligations against and be paid from
35 funds provided under the authority of this act. The office, records,
36 books and accounts of the bridge commission shall always be main-
37 tained in the city which the commission represents. Such com-
38 mission may be charged by the governing body of the city with the
39 construction of new bridges or the operation, maintenance, repair,
40 renewal, reconstruction, replacement, extension or enlargement of
41 existing bridges, or bridges hereafter constructed.

1 SEC. 14. **Additional powers of commission.** The commission if
2 and when created is hereby authorized to prepare the necessary and
3 proper plans and specifications for the construction of such bridges
4 as may be designated by the governing body of the city, to select the
5 location for same, determine the size, type and method of construc-
6 tion thereof, to plan and fix their boundaries and approaches, to make
7 the necessary estimates of the probable cost of construction and the
8 acquisition of the land and rights for the sites of the abutments and
9 the approaches and avenues or easements of access to the bridges
10 in a manner hereinafter provided, to enter into the necessary con-
11 tracts, to build and equip the entire bridges and the approaches and
12 accesses or easements of access thereto, to build the super-structure
13 and sub-structures and all parts thereof, to obtain and exercise such
14 consent or authority as may be necessary from the government of
15 the United States and the approval of the secretary of war and chief
16 of engineers, and to cause a survey and map to be made of all lands,
17 structures, rights of way, franchises, easements or other interests in
18 lands, including lands under water and riparian rights owned by any
19 person, corporation or municipality, the acquisition of which may be
20 deemed necessary for the construction of such bridges and to cause
21 such map and survey to be filed in its office. The members of the
22 commission, or its agents and employees, may enter upon such lands
23 and structures and upon lands under water notwithstanding any
24 interests in such lands or structures, for the purpose of making
25 such surveys and maps; provided, however, that the commission
26 shall not proceed to exercise or carry out any authority or power
27 herein given it to bind said commission beyond the extent to which

28 money has been provided under the authority of this act. No con-
29 tract or agreement for the acquisition, construction, reconstruction,
30 repair, enlargement, extension, renewal, replacement or equipment
31 of such bridges exceeding in amount the sum of twenty-five hundred
32 dollars (\$2,500), shall be made without advertisement for bids, which
33 bids shall be opened publicly and an award made to the best bidder,
34 with power in the commission to reject any or all bids. The plans
35 and specifications, the location, size, type and method of construc-
36 tion, the boundaries and approaches, and the estimates of cost of
37 construction and acquisition, hereinbefore provided for in this sec-
38 tion, shall be first submitted to the governing body of the city and
39 receive its approval before final adoption by the commission, which
40 shall have no power to proceed further unless and until such ap-
41 proval has been had. No contract for acquisition, construction, or
42 incidents thereto, and no liabilities in connection therewith, shall
43 be entered into or incurred unless and until bonds to finance the
44 project have been authorized by the electors of the city in the method
45 provided in this act. The commission shall operate, manage and
46 control the bridges under its charge in their entirety, fix the rate of
47 tolls, establish by-laws and rules and regulations for the use and
48 operation of said bridges, provide for the lighting and policing
49 thereof, and select such employees as it deems necessary and fix
50 their compensation, and if and when authorized by the governing
51 body of the city shall have power to renew, replace, reconstruct,
52 extend and enlarge bridges, but shall not have power to create liens
53 upon or to mortgage any property unless first authorized by the
54 governing body of the city.

1 **SEC. 15. Record, reports, auditing, removal of members of com-**
2 **mission, etc.** The bridge commission shall keep an accurate record
3 of all its acts, the property entrusted to it, the cost of the bridge or
4 bridges and incidents thereto, the expenditures for maintaining, re-
5 pairing and operating same and the daily tolls collected, which rec-
6 ords shall be public records and property of the city. A semi-annual
7 statement shall be published on each bond interest date in the of-
8 ficial newspaper of the city. The governing body of the city shall
9 have power to examine the accounts at any time, to call for any
10 reports at any time in its discretion, and to require the commission
11 and its employees to appear before it to report or testify at any time.
12 The governing body of the city after reasonable notice and hearing
13 may at any time remove any member of the commission or discharge
14 any employee for good cause shown, but not arbitrarily nor for po-
15 litical reasons. The accounts and statements of the commission shall
16 be audited by or under the direction of the city auditor semi-annually
17 and finally upon the completion of the work of the commission and
18 at such other times as may be directed by the governing body of the
19 city, the cost thereof to be charged against the funds provided for
20 in this act. The governing body of the city, and in the absence of
21 action by it, the bridge commission, shall have power to require
22 bonds of officers and employees, to require guarantees of deposited
23 moneys, and to insure the bridges and all property connected there-
24 with against every manner of loss or injury. Funds under control
25 of the commission may be invested in certificates of deposit in na-

26 tional banks or in bonds or other evidences of indebtedness which
27 are general obligations of the United States, state of Iowa, or other
28 states, or the city or the cities co-operating as in this act provided,
29 but only in such manner as to be immediately available or re-captured
30 when needed for use for the purposes authorized in this act.

1 **SEC. 16. Acquisition of property by purchase by commission.** The
2 commission is hereby authorized to purchase in the state of Iowa and
3 in any adjoining state when authorized by such state, if such au-
4 thority be necessary, or the government of the United States, solely
5 from funds provided under the authority of this act, such lands,
6 structures, rights of way, franchises, easements or other interests
7 in lands, including lands under water and riparian rights of any
8 person, railroad, or other or public or private corporation, necessary
9 or convenient for the acquisition, construction, extension or enlarge-
10 ment of said bridges and approaches thereto upon such terms prices
11 or consideration as may be considered by it to be reasonable, and
12 can be agreed upon between it and the owner or owners, title thereto
13 to be taken in the name of and to vest in the city.

1 **SEC. 17. Condemnation of property by commission.** Whenever
2 it shall be necessary to condemn property in the state of Iowa for the
3 purpose of constructing, extending or enlarging any portion of said
4 bridges or the approaches thereto, or securing avenues of access or
5 rights of way leading to said approaches, the commission may con-
6 demn any interests, franchises, easements, rights or privileges, land
7 or improvements which may, in its opinion, be necessary for the
8 purpose of constructing said bridges or the approaches thereto, or
9 necessary for rights of way or avenues of access leading to said ap-
10 proaches. Condemnations shall be certified to the governing body
11 of the city for its action, and the method thereof shall be the same as
12 that provided by statute for the condemnation for similar or appro-
13 priate municipal purposes by cities. The commission is and shall
14 be further empowered to exercise in any adjoining state such powers
15 of eminent domain as may be conferred upon the commission by
16 any act of the congress of the United States now in force or which
17 may hereafter be enacted, or as may be authorized by the law of that
18 state. No payments of award in any condemnation proceedings or
19 for the cost of such proceedings or the expense thereof, shall be
20 made except from funds provided under authority of this act. Title
21 to property condemned shall be taken in the name of and vest in
22 the city.

1 **SEC. 18. Removal of obstructions.** All individuals or corpora-
2 tions having buildings, structures, works, conduits, mains, sewers,
3 wires, tracks, or other physical obstructions in, over, upon or ad-
4 jacent to the public streets, lanes, alleys, highways or in, under,
5 over or adjacent to the river over which the bridges are to be con-
6 structed, and which shall interfere with or impede the progress of
7 said bridges and approaches when in progress of construction and
8 establishment, shall upon reasonable notice from the commission
9 temporarily so shift, adjust, accommodate or remove the same as
10 fully to meet the exigencies occasioning such action. Upon com-
11 pletion of such construction, the actual cost thereof, if reasonable,

12 otherwise the reasonable cost thereof and other incidental damage,
13 shall be promptly paid to such person by the commission. In case of
14 disagreement as to reasonable cost, either party may appeal to the
15 governing body of the city which after reasonable notice shall hear
16 all parties and determine the proper amount and order same paid
17 at once by the commission out of funds provided for in this act,
18 persons aggrieved by such determination may appeal within twenty
19 (20) days thereafter by filing a petition in the district court of Iowa
20 in and for the county in which such city is located. Similar powers
21 may be exercised in an adjoining state if and in the manner au-
22 thorized by an act of congress or the law of that state.

1 **SEC. 19. Damage to property.** The governing body of the city
2 shall have power to appraise damages to property by reason of the
3 construction and operation of the complete bridge property and
4 appurtenances and to pay same out of funds provided for in this
5 act. Any person whose property is damaged may file claim with the
6 governing body of the city, which after reasonable notice shall hear
7 all interested parties, determine the amount of damage and order
8 the same paid by the commission out of funds provided for in this
9 act. Persons aggrieved by such determination may appeal within
10 twenty (20) days thereafter by filing a petition in the district court
11 of Iowa in and for the county in which such city is located. Similar
12 powers may be exercised in an adjoining state if and in the manner
13 authorized by an act of congress or the law of that state.

1 **SEC. 20. Restoration of public ways and works.** Any local public
2 ways or public works, including those of quasi public utilities, dam-
3 aged or destroyed by reason of the building of such bridges or ap-
4 proaches shall be restored or repaired by or at the expense of the
5 commission and placed in their original condition as near as prac-
6 ticable, or at the option of the owners of such property, the same
7 may be repaired or restored by the owner and the commission shall
8 reimburse the owner for the reasonable cost thereof out of funds
9 provided for in this act.

1 **SEC. 21. Dissolution of commission.** Any local bridge commission
2 provided for in this act may be dissolved by the governing body of
3 the city at any time after the acquisition, construction and equip-
4 ment of the complete bridge or bridges within its care have been
5 completed and all the costs thereof have been paid from the funds
6 provided by the bond issues provided for in this act, and thereupon
7 the governing body of the city shall assume the further duties in
8 connection with such bridge, including the operation, maintenance
9 and repair thereof, the administration of funds, the collection of tolls
10 and all other necessary or proper acts, or at any time thereafter may
11 create a new bridge commission to effect any of the purposes or
12 objects authorized by this act.

1 **SEC. 22. Joint bridge commission.** In case the governing body
2 of any city designated in this act, having been authorized by the
3 electors as required by this act, shall at any stage of the proceedings
4 determine to co-operate with any properly authorized political sub-
5 division in this or an adjoining state in the joint acquisition and
6 operation of a bridge or bridges, a joint commission shall be created.

7 Such joint commission shall be created and the members selected
8 by the action of each political unit co-operating, in the same manner
9 provided for the creation of a local commission, by the law applicable
10 to each political unit, and, upon which representation may be pro-
11 portioned to the respective contribution of funds by the political
12 units co-operating for the purposes of such acquisition, provided
13 that the total membership shall not exceed ten (10). The commis-
14 sion shall select a chairman and vice-chairman to represent each
15 political subdivision co-operating in the enterprise, and shall main-
16 tain a single office at the place selected by the commission, but for
17 legal purposes shall be domiciled within the jurisdiction of each
18 political unit co-operating, and shall have power to sue and be sued.
19 This commission shall constitute a public body corporate and politic,
20 shall select and adopt its own name, and shall be vested with such
21 powers and subject to such conditions as may be conferred and im-
22 posed by the government of the United States and/or such powers
23 and conditions in the state of Iowa, as are conferred and imposed
24 in this act upon a local bridge commission, and such powers and
25 subject to such conditions in an adjoining state as may be conferred
26 and imposed by the laws of such state. The plans and specifications,
27 the location, size, type and the method of construction, the bound-
28 aries and approaches, and the estimates of costs of construction,
29 acquisition of property, and financing, shall be first submitted to the
30 governing bodies of the political units co-operating and receive their
31 approval by resolution before final adoption by the commission, which
32 shall not enter into contracts and shall have no power to proceed
33 further unless and until such approval has been had. If such joint
34 commission is created after any work has been done, any funds pro-
35 vided or any liabilities incurred by the governing body of the city, or
36 by a local commission, such joint commission shall take over, suc-
37 ceed to, assume and be liable therefor. The cities specified in this
38 act are authorized and empowered to authorize or require said joint
39 commission to conduct and to complete the sale of bonds provided
40 for in this act at the same time and to the same purchaser, under
41 the best conditions obtainable, together with the bonds of the po-
42 litical subdivision with which it is co-operating, so that the benefits
43 of a joint offering and sale may be obtained. The funds derived
44 from the sale of the bonds of all political subdivisions co-operating
45 may be mingled and shall be administered and expended by the joint
46 commission as one common fund. As near as may be, and subject
47 to any rules and regulations which may be adopted by the com-
48 mission for that purpose, the fund shall be deposited and maintained
49 in equitable proportions within the territory of each political sub-
50 division, and applied to the purchase or redemption of the separate
51 bond issues in an equitable manner. All contracts, evidences of
52 indebtedness and payment vouchers shall be signed by the treasurer
53 and countersigned by each vice-chairman. Title to all real and per-
54 sonal property and to the completed bridge and all its appurtenances
55 and incidents shall vest in the political subdivisions co-operating
56 as tenants in common in the same proportions as the contributions
57 made to the joint fund. In the event of the inability of the govern-
58 ing bodies of the political subdivisions co-operating or their joint

59 commission to agree, the specific controversy may be submitted to
60 arbitration in such manner as may be agreed upon.

1 **SEC. 23. Joint purchase.** Any city specified in this act desiring
2 to exercise the power as granted in section two (2) of this act to
3 jointly purchase by bargain and sale any existing bridge, may do so
4 either when the electors have authorized such joint purchase or have
5 authorized an independent purchase of such bridge. The governing
6 body of the city is authorized to enter into joint contract with the
7 other political unit as to all the conditions of the purchase and the
8 conditions of subsequent reconditioning, operation, toll charges au-
9 thorized by this act, repair, maintenance, renewal, replacement, en-
10 largement and extension of such bridge. Title to the bridge shall
11 vest in the political units co-operating as tenants in common and
12 operation shall be by the joint commission provided for in this act
13 and subject to the conditions provided with reference to such com-
14 mission.

1 **SEC. 24. Joint condemnation.** Any city specified in this act may
2 acquire an existing bridge by entering into joint condemnation pro-
3 ceedings with other political units as authorized in section two (2)
4 of this act. Where the property to be condemned is situated within
5 the jurisdiction of more than one political unit or partly in the
6 state of Iowa and partly in an adjoining state, the political units
7 co-operating shall first enter into contract electing in what jurisdic-
8 tion and in which state a single joint proceeding to condemn the
9 property as an entirety shall be instituted and the proceeding shall
10 be conducted subject to the law of and in the manner provided for
11 that jurisdiction, or such proceedings may be conducted subject to
12 the law and in the manner provided by any act of congress governing
13 the power of condemnation where the property to be acquired is situ-
14 ated in more than one state. For this purpose, cities in this state and
15 specified in this act are authorized to become parties to a single pro-
16 ceeding in an adjoining state and to subject themselves to the laws
17 of that state governing such proceedings. In the event of such
18 joint proceedings in this state the method of proceedings provided in
19 section seven (7) of this act shall govern but shall be modified to the
20 extent of requiring the board of appraisers to be created by the
21 designation of three (3) appraisers for each political unit co-oper-
22 ating and by releasing the restriction as to residents within the
23 state. The contract heretofore in this section provided for shall be
24 similar to the contract provided for in section twenty-three (23)
25 and also fix the proportionate contribution to be made by each po-
26 litical unit co-operating, and shall also provide for the creation of a
27 joint commission to take over the operation of the property if and in
28 the event of its acquisition subject to the conditions provided in
29 this act with reference to such joint commission. Title to the prop-
30 erty condemned shall vest in the political units co-operating as ten-
31 ants in common when, if and as the approval of the electors has
32 been had as provided in section seven (7) of this act.

1 **SEC. 25. Joint construction.** Whenever the electors of any city
2 specified in this act shall have authorized the construction of a bridge
3 as provided in this act, the governing body of the city shall have

4 power to construct such bridge independently or jointly with any
5 state or political unit as authorized in section two (2) of this act.
6 Such cities are authorized to enter into any contract which may be
7 necessary to effectuate this purpose. The title to all property ac-
8 quired shall vest in the political units co-operating as tenants in
9 common. The actual control of all construction and subsequent
10 operation, including all property necessary to the completed bridge,
11 and of maintenance and repair thereof, and of funds and the collec-
12 tion and custody of tolls shall vest in a joint bridge commission as
13 provided in section twenty-two (22) of this act, which commission
14 and its control shall not be terminated until such tenancy in common
15 shall be terminated.

1 SEC. 26. Any city in an adjoining state which has been properly
2 authorized by the law of that state, and/or the United States may
3 exercise in the state of Iowa any and all the powers granted in this
4 act to cities in Iowa, subject to the conditions and requirements of
5 this act.

1 SEC. 27. **Submission to the electors.** Any proposition or proposi-
2 tions arising in connection with the exercise of any of the powers
3 granted by this act, may be submitted by the governing body of the
4 city to the electors thereof at any general or city election or at any
5 special election called for that purpose, and any proposition shall be
6 carried if the majority of the electors voting thereon vote in favor
7 thereof. No bridge shall be finally or irrevocably acquired, whether
8 by purchase or by condemnation or by construction, unless and until
9 such action and the necessary financing shall have been approved by
10 the majority of the electors voting on the proposition at a general or
11 city election or at a special election called for that purpose. Two
12 or more propositions or questions may be submitted at the same
13 election and on the same ballot provided each is so presented that
14 the electors may vote separately upon each proposition. A vote of
15 the electors authorizing independent action shall by operation of
16 law be held to also authorize joint action for the purpose so au-
17 thorized, but a vote on a proposition of joint action shall not be held
18 to authorize independent action. The governing body of the city is
19 hereby authorized to determine what shall be included in the propo-
20 sition to be stated in notices of election and upon the ballots in its
21 full discretion except that any proposition must indicate whether the
22 bridge shall be acquired by the purchase or by the condemnation of
23 an existing bridge or by the construction of a new bridge and the
24 kind of bonds to be issued to finance the same, and the amount of
25 such bonds may be set forth in any manner authorized in this act.

1 SEC. 28. **Powers granted are supplementary—savings clause.** The
2 powers hereby conferred are to be exercised without any restriction
3 or limitation under the laws of the state except the provisions of
4 the constitution of the state, and are supplementary and additional
5 to powers which have been or may hereafter be conferred upon the
6 city by law of the state. All powers granted to or provided to be
7 conferred upon the bridge commission authorized by this act, are
8 likewise granted to and conferred upon and may be exercised by the
9 governing body of the city and the governing body of the city may

10 delegate any or all of the powers conferred upon it by this act to
 11 such commissions. The sections and provisions, and parts thereof,
 12 of this act are separable and are not matters of mutual essential in-
 13 ducement, and it is the intention to confer the whole or any part of
 14 the powers herein provided for, and if any of the sections or provi-
 15 sions, or parts thereof, are for any reason illegal, it is the intention
 16 that the remaining sections and provisions or parts thereof shall
 17 remain in full force and effect.

1 SEC. 29. **Additional power.** The powers conferred by this bill
 2 are in addition to the powers elsewhere granted by law or any other
 3 bill in respect to interstate bridges.

1 SEC. 30. **Publication clause.** This act being deemed of immediate
 2 importance shall take effect and be in full force from and after its
 3 publication in the Treynor Record, a newspaper published in Treynor,
 4 Iowa, and the Gazette Reporter, a newspaper published in Neola,
 5 Iowa.

House File No. 283. Approved April 16, A. D. 1929.

I hereby certify that the foregoing act was published in the Treynor Record May 2, 1929, and the Neola Gazette Reporter May 2, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 196

PAYMENT OF BONDS

AN ACT to amend section one thousand one hundred seventy-nine b-one (1179-b1), one thousand one hundred seventy-nine b-two (1179-b2) and one thousand one hundred seventy-nine b-four (1179-b4) of chapter sixty-three B-one (63-B1) of the code relating to the maturity and payment of bonds.

Be it enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section one thousand one hundred seventy nine b-one
 2 (1179-b1) of the code is amended by striking out the last sentence
 3 therein and substituting the following in lieu thereof; "Each issue
 4 of bonds shall be scheduled to mature serially in the same order as
 5 numbered."

1 SEC. 2. Section one thousand one hundred seventy-nine b-two
 2 (1179-b2) of the code is amended by adding thereto the following:
 3 "Tax limitations in any law for the issuance of bonds shall be based
 4 on the latest equalized valuation then existing and shall only restrict
 5 the amount of bonds which may be issued."

1 SEC. 3. Section one thousand one hundred seventy-nine b-four
 2 (1179-b4) of the code is amended by striking therefrom the period at
 3 the end of the section and adding thereto the following: "or out of
 4 special assessments against benefited property."

1 SEC. 4. This act, being deemed of immediate importance, shall take
 2 effect and be in force from and after its publication in Rockford